

Continuation of 5. Applicant's reply has overcome the following rejection(s): rejection of claims 7-16, 18-26 and 30-32 under 35 U.S.C. 112, first paragraph.

Continuation of 11. does NOT place the application in condition for allowance because: the claimed oxygen nucleophiles read upon well known oxygen nucleophiles, including water. Trost discloses using oxygen nucleophiles. The skilled artisan would have been motivated to utilize any well known oxygen nucleophiles in the process of Trost. Trost specifically discloses using trimethyl phosphite as a catalyst (see col. 3, lines 45-46). The Examiner believes that Kurtz et al., Bryant and Hefner Jr. do provide a reasonable expectation of success, for reasons of record. The Examiner does not believe that the data presented in Tables 1 and 2 is commensurate in scope with the protection sought because claim 1 is directed to monodentate phosphite compounds wherein R1, R2 and R3 are independently a linear or branched alkyl group which may have a substituent. However, Tables 1 and 2 do not provide enough data that one could ascertain a trend in the exemplified data that would allow the skilled artisan to reasonably extend the probative value thereof.